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**IN THE UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA**

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UNITED STATES OF AMERICA,

Plaintiff,

v.

SALVADOR DELRIO,

Defendant.

Case No. 2:18-MJ-02389
ORDER OF DETENTION

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I.

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On September 6, 2018, Defendant Salvador Delrio (“Defendant”) made an initial appearance in this district on the Complaint filed in the United States District Court for the Central District of California, Case No. 2:18-MJ-02389.

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The Court appointed Deputy Federal Public Defender (“DFPD”) Andre Townsend to represent Defendant.

1 The Court conducted a detention hearing based on:

2 ☒ a motion by the Government or ☐ on the Court's own motion [18 U.S.C.
3 § 3142(f)(2)] in a case allegedly involving:

4 (a) ☒ a serious risk that the defendant will flee.

5 (b) ☒ a serious risk of danger to any person or the community

6 (c) ☐ a serious risk that the defendant will

7 (i) ☐ obstruct or attempt to obstruct justice.

8 (ii) ☐ threaten, injure, or intimidate a prospective witness
9 or juror or attempt to do so.

10 The Government ☒ is / ☐ is not entitled to a rebuttable presumption that no
11 condition or combination of conditions will reasonably assure the
12 defendant's appearance as required and the safety of any person or the
13 community.

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15 II.

16 ☒ Defendant submitted on the report and recommendation of the U.S.
17 Pretrial Services Agency.

18 ☒ The Court finds that the defendant has not rebutted by sufficient
19 evidence to the contrary the presumption provided by statute.

20 ☒ The Court finds that no condition or combination of conditions will
21 reasonably assure: ☒ the appearance of the defendant as required.

22 ☒ the safety of any person or the community.

23 The Court bases its conclusions on the following:

24 As to risk of non-appearance:

- 25 • No bail resources
- 26 • Unverified background information
- 27 • Defendant has a passport and appears to have an unstable living
28 situation

1 As to danger to the community:

- 2 • Defendant's criminal history, including five felony convictions
- 3 • Defendant reports using marijuana and methamphetamines
- 4 • Defendant has a history of parole and probation violations on similar
- 5 matters

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7 III.

8 In reaching this decision, the Court considered: (a) the nature and
9 circumstances of the offense(s) charged, including whether the offense is a crime
10 of violence, a Federal crime of terrorism, or involves a minor victim or a controlled
11 substance, firearm, explosive, or destructive device; (b) the weight of evidence
12 against the defendant; (c) the history and characteristics of the defendant; and (d)
13 the nature and seriousness of the danger to any person or the community. [18
14 U.S.C. § 3142(g)] The Court also considered all the evidence adduced at the
15 hearing and the arguments and/or statements of counsel, and the report and
16 recommendation of the U.S. Pretrial Services Agency.

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18 V.

19 IT IS THEREFORE ORDERED that Defendant be detained until trial. The
20 defendant will be committed to the custody of the Attorney General for
21 confinement in a corrections facility separate, to the extent practicable, from
22 persons awaiting or serving sentences or being held in custody pending appeal.
23 The defendant will be afforded reasonable opportunity for private consultation
24 with counsel. On order of a Court of the United States or on request of any
25 attorney for the Government, the person in charge of the corrections facility in
26 which defendant is confined will deliver the defendant to a United States Marshal

for the purpose of an appearance in connection with a court proceeding.

[18 U.S.C. § 3142(i)]

Dated: September 7, 2018

_____/s/_____
HON. MARIA A. AUDERO
UNITED STATES MAGISTRATE JUDGE